SUBSTITUTE SPECIFICATION CLEAN VERSION

Reply to Office Action of: 01/31/2006

Applicant: Rodolfo Fernandez Examiner: Bena Miller

Art Unit : 3725

(54) DANCING TOY LOLLIPOP

(76) Inventor: Rodolfo Fernandez, 308 Fulton Street, Kings Mountain, N.C. (U.S.) 28086

(51) Int. Cl	A23G 1/00; A63H 17/0	0
(21	/ IIII. Ci		U

(52) U.S. Cl...... 426/104; 446/268

294/1.1

(56) References Cited:

U.S. PATENT DOCUMENTS

5,536,054	7/1996	Liaw	294/1.1
3,264,115	8/1966	Davis	426/75
5,874,119	2/1999	Coleman et al	426/104
5,902,167	5/1999	Filo et al	446/81
5,921,841	7/1999	Coleman et al	446/267
D288,140	2/1987	Fontlladosa	D1/106
5,615,941	4/1997	Shecter	362/109
5,666,693	9/1997	Levay	16/114 R

SUBSTITUTE SPECIFICATION CLEAN VERSION

Applicant: Rodolfo Fernandez
Examiner: Bena Miller
Art Unit: 3725

Reply to Office Action of: 01/31/2006

D468,513 S

1/2003

5,690,535 11/1997 Coleman et al..... 446/236 5,826,997 10/1998 Coleman et al..... 401/52 5,855,500 1/1999 Coleman et al..... 446/81 D404,885 Tomaszewski et al...... 2/1999 D1/102 Coleman et al..... 5,938,153 8/1999 248/160 5,957,746 9/1999 Diamond..... 446/266 D416,371 11/1999 Mehdikahn..... D1/104 6,027,752 2/2000 Coleman et al..... 426/134 6,054,159 4/2000 Manzone..... 426/134 6,074,266 6/2000 Zak..... 446/73 6,090,420 7/2000 Coleman et al..... 426/104 426/9 D 6,103,278 8/2000 Lluch.... 6,177,110 B1 1/2001 Chan..... 426/90 6,471,364 B1 10/2002 Plante..... 362/34 6,485,348 B2 11/2002 Diresta.... 446/73

Wolfe et al.....

D1/104

Reply to Office Action of: 01/31/2006

CLEAN VERSION

Examiner: Bena Miller

Art Unit : 3725

DANCING TOY LOLLIPOP

CROSS REFERENCE TO RELATED APPLICATIONS

(Not Applicable)

STATEMENT REGARDING FED. SPONSORED R & D

(Not Applicable)

REFERENCE TO SEQUENCE LISTING

(Not Applicable)

BACKGROUND OF THE INVENTION

[0001] This invention relates to lollipops and, particularly, to the way in which the lollipops edible part is assembled to a stick, replacing the single edible part tightly fixed to a stick with one or more edible and/or inedible independent pieces loosely assembled to said stick and free to move in relation to it, allowing their separate production and the creation of a great variety of designs, and, as alternative, the packaging and distribution of unassembled lollipops to be assembled in diverse combinations by the user, and at the same time, the dancing toy lollipop object of the present invention can be used as a simple toy which performs dancing like motions when the user manually shakes it or moves it in different ways.

[0002] In their simple basic form, lollipops have been known for long time, and many different inventions have been developed regarding this type of candy. The lollipop consumption has been growing year after year, and their fields of use have been diversified, including pharmaceutical products and other edible confectioneries and toys.

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller Art Unit: 3725

[0003] Despite the numerous innovations and devices related to lollipops that have been

created, one characteristic has remained unchanged in all of them: the tight attachment

of a candy or edible piece at one end of a disposable holding stick or a holder stem.

Therefore, consumers have enjoyed sucking, licking or biting the edible piece rigidly

attached to a stick, what provides several advantages such as, for example, when the user

wants to speak or drink some beverage, may easily take out the candy from his/her

mouth and hold it safely in the meantime, but with the limitations to enjoy it imposed by

its rigid connection to a holding element. That rigid connection between the edible piece

and its holding stick or stem, limits its movements inside the mouth, in comparison to

common candies, without a stick rigidly attached.

[0004] Consequently, many patents and designs have been issued for improvements and

novelties, and a great variety of designs has been introduced in the field of lollipops, but,

according to our search, those patents have been always related to lollipops with fixed

and rigid union between the edible piece and a stick or a holder stem.

[0005] The main property of the dancing toy lollipop object of the present invention, is

that the lollipop edible pieces are loosely assembled to the lollipop stick, and due to that

significant difference in comparison to known lollipops, the present invention constitutes

the creation of a new kind of lollipop, which allows more pleasant free movements

inside the consumer's mouth, almost like common candies and, in addition, may be

moved like a simple toy by the user's hand, increasing his/her pleasure.

[0006] The sticks and the movable edible parts of the dancing toy lollipop object of the

present invention may be independently and separately produced, propitiating the

development of much more configuration alternatives for these main components of

lollipops.

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION Examiner: Bena Miller

Reply to Office Action of: 01/31/2006

Art Unit : 3725

[0007] Some patents have been issued for lollipops with flexible or elastic sticks, or

holding sticks with slits, but in all cases, the inventions are also consistently referred to

candies tightly attached around one end of a stick.

[0008] On the other hand, in order to increase the user's amusement while consuming

lollipops, many different types of driving holders, some of them included in the

references above, have been invented to provide the candy with different motions,

sounds, and/or illumination patterns.

[0008.1] However, in all patented candy holders, when the author claims any novel

elements or features apparently similar in name or function to some mentioned in the

present invention, such elements or features are completely different in location,

function and purpose, due to the fact that they refer to candy holders which are intended

to transmit amusing movements to conventional or novelty lollipops rigidly attached to

sticks which are inserted to said driving candy holders and, in general, to candies

securely attached to holding devices.

[0008.02] Therefore, when Liaw, in his Lollypop holder, US patent No. 5,536,054 issued

on July 1996, teaches what at first sight looks like a dancing toy lollipop, and mentions a

movable candy, an upper end portion and an open cavity, said upper end portion is

located at the top end of his candy holder and said open cavity is located in said upper

end portion, being its purpose to receive the free end of the stick of a conventional

lollipop or novelty confectionery, in order to make the candy lollipop, as a whole, to

perform a certain pattern of motion caused by the candy holder, which is the object of his

invention. In the present invention, wherein the object is not a driving candy holder, but a

simple lollipop with_innovative features to be manually moved, the cavity is located

inside the edible part of a new type of lollipop, and its purpose is to provide an opening

for its loose assembling to the lollipop stick, thereby transforming the edible piece into a

movable element relative to the lollipop stick, when the candy is manually moved in

different ways by the user, while, in turn, the lollipop stick is converted into a holding

PECIFICATION Applicant: Rodolfo Fernandez
RSION Examiner: Bena Miller

Art Unit: 3725

Reply to Office Action of: 01/31/2006

stick, which is an independent disposable or reusable holding element for the movable

edible pieces.

[0008.03] Hence, when Liaw teaches the candy holder with all its components, he refers

to the main object of his invention, which is to hold and actively cause the movement of

conventional lollipops or confectioneries as a whole, by means of the candy holder,

which is in fact a certain type of battery powered driving device.

[0008.04] For the same reasons, when Liaw and others mention and describe retaining

means, they refer to elements located in the cavity of a candy driving holder device, with

the purpose of retaining securely in position the holding stick of conventional or novelty

lollipops inserted into the holder device cavity or, alternately, in the case of candy holders

with male holding elements in the form of stems, they refer to secure means to retain

tightly and securely attached candy pieces of female configuration to match the holder

stem, while in the present invention, the retaining means are located on the stick of the

lollipop, and their purpose is to retain one or more movable edible pieces of the lollipop

loosely assembled to said lollipop holding stick, and not to any driving holder device.

[0008.05] In the present invention, the retaining means of the holding stick, combined

with the interior cavity of the movable edible pieces, instead of the usual tight union,

provide a loose or articulated union between both basic components of lollipops, in order

to allow, in a passive way, a great variety of free motions of the edible pieces of the

lollipop in relation to its holding stick, when the candy toy is conveniently moved by the

user's hand.

[0008.06] Coleman et al. have patented many different candy holders devices, such as the

Novelty candy holder and dispenser, US patent No. 5,874,119, issued on February 1999;

the Swirlee pop, US patent No.5,921,841, issued on July 1999; the Nearly headless

noisemaker candy toy, US patent No.6,402,580, issued on June 2002, and many others

with a great variety of innovations, but all of them refer to driving candy holders, battery

SUBSTITUTE SPECIFICATION

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Applicant: Rodolfo Fernandez **Examiner: Bena Miller**

Art Unit: 3725

or manually powered, whose main purpose is to securely hold lollipops or novelty

candies and actively cause their movement in diverse amusing patterns, thereof their

innovative features are always related to driving holding devices.

[0008.07] Filo et al. invented a Sound-transmitting amusement device and method, US

patent No.5,902,167 issued on May1999, but his invention comprises sound emission

devices, related like in the previously mentioned inventions, to candy holders as separate

devices to which current lollipops and other confectioneries are connected in different

ways.

[0008.08] Contrary to Liaw's, Coleman's and many other inventions, which refer to

candy holders driving devices, the present invention refers to a simple lollipop with an

edible piece assembled to a holding stick almost as in conventional lollipops, but with the

essential difference that, instead of being tight and rigid as in conventional lollipops, the

union between the edible piece and the stick is loose or articulated, in order to allow, and

not to cause, as most lollipops holders do, the free movement of the edible piece in

relation to said holding stick, when the candy, alone as a whole, is subjected to movement

caused by the user's hand holding the stick of the lollipop, as a simple funny toy, or by

the user's tongue, inside his/her mouth, when the dancing toy lollipop is licked and/or

sucked by the user, almost as easily as common candies not rigidly attached to a stick as

known lollipops are.

[0008.09] More related to the present invention is the Safety Lollipop, invented by Davis,

US patent No.3,264,115, issued on August 1966, comprising a novel lollipop articulated

stick, since it refers to a novel lollipop candy and not to a holding driving device.

However, in his invention, the edible part of the lollipop is also tightly attached to the

holding stick, as usual in known lollipops. Therefore the only similarity between Davis'

invention and the dancing toy lollipop object of the present invention is that both refer to

the same general field of lollipops or candies provided with holding elements.

SUBSTITUTE SPECIFICATION

CLEAN VERSION

Applicant: Rodolfo Fernandez **Examiner: Bena Miller**

Art Unit: 3725 Reply to Office Action of: 01/31/2006

[0009] In general, although candy holders undoubtedly play an important roll to make

lollipops more attractive, contributing to their market expansion, lollipop holders and

driving devices are relatively complex and expensive, what highlights the relevance of

the innovation introduced by the present invention, consisting in a rather simple lollipop,

wherein the edible part of the lollipop is loosely assembled to the lollipop stick, in such a

way, that it combines some of the advantages of common candies without stick, with the

advantages of lollipops provided with holding sticks, but adding special features to

improve the user's amusement...

[0009.01] One of the main additional features of the dancing toy lollipop object of the

present invention, is that its edible part may be sucked, licked and moved inside the

user's mouth almost like a common candy, without the limitations imposed by the rigid

union to a stick or to a candy holder device, as in known or prior art lollipops, increasing

the user's joy and pleasure.

[0009.02] Other feature of the dancing toy lollipop object of the present invention is that

it behaves like a very simple toy, when the user manually moves it in different ways,

making the movable pieces, loosely assembled to the stick, perform funny random

motions, like a sort of dancing, increasing his/her amusement.

[0010] Furthermore, the present invention is so easy to assemble, that it gives to the

manufacturers the option to package and supply the lollipops in kits with the components

unassembled, possibly reducing production costs and, at the same time, giving the user

the opportunity to create different lollipops combinations, assembling to the holding

stick in random order, either single or multiple edible and/or inedible pieces with diverse

sizes, shapes, colors and flavors in one same lollipop.

Reply to Office Action of: 01/31/2006

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Examiner: Bena Miller

Art Unit : 3725

BRIEF SUMMARY OF THE INVENTION

[0011] In known lollipops, usually a single candy or edible piece is firmly attached to

one end of a stick, and both components are manufactured and supplied assembled as a

whole.

[0012] It is an object of the present invention, to create a new and different kind of

lollipop, comprising one or more edible and/or inedible pieces assembled to a modified

lollipop stick, so transformed into a holding stick, being said pieces loose and free to

move in diverse ways in relation to the holding stick, and converted, in turn, into

movable edible pieces, facilitating the sucking and licking of said movable edible pieces

by the action of the consumer's tongue inside his/her mouth, almost like common

candies without rigidly inserted sticks as known lollipops.

[0012.01] Other object of the present invention is to create a lollipop that, at the same

time, constitutes a simple manually movable toy for the user's amusement, usually a

child, driven just by his/her active hand movements, without the aid of mechanical

and/or battery powered electrical holders, which generally are relatively complex and

expensive.

[0013] Still other object of the present invention is to make possible for confectioneries

manufacturers, to produce a new and different kind of lollipop wherein the holding stick

and the other components of the lollipop may be produced independently, using current

manufacturing processes and without the requirement of new or sophisticated

technologies, including as a significant advantage, that the different components of the

dancing toy lollipop may be packaged and supplied unassembled as separate parts,

which could be manually assembled by the customer very easily with a great variety and

many combinations of colors, flavors and configurations.

[0014] - [0016] (DELETED)

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Art Unit: 3725

Examiner: Bena Miller

[0017] One advantage of the present invention, as a result of its main objects and

features, is that it makes economically and technically feasible to manufacture, by well

known manufacturing processes, holding sticks of several suitable materials, eventually

reusable, with many different configurations, from the simplest to relatively complex

shapes, including, but not limited to, ramified holding sticks with two, three or more

branches resembling plant stems, stylized rattlesnake like holding sticks, which may be

bent and wound at will by the user, etc., to which may be assembled similar or different

movable edible pieces, resembling dancing dolls, Halloween pumpkins, stylized

rattlesnake disks, fruits or flowers or any other configurations.

[0018] - [0019] (DELETED)

[0020] Another advantage of the present invention is that it can be provided with

independent inedible components which may have the additional function of finger

guards, preventing the direct contact between the user's fingers and the edible parts,

contributing to a cleaner and more hygienic handling of the dancing toy lollipop while it

is consumed.

[0021] The assembling procedures of the movable pieces to the holding sticks by the

users are emphasized in the description because an important feature of this invention is

that the user has the option to assemble very easily customized combinations of edible

and inedible decorative components, which may be supplied separately wrapped inside

packaged kits, being such options an interesting feature to some users who are fond of

the "do it yourself" fashion, thus improving the amusement and entertainment inherent

to this new kind of lollipops.

[0021.01] All components and the assembly of all possible alternate designs of the

dancing toy lollipop object of the present invention are feasible by means of very well

known conventional manufacturing processes and materials, since none of its elements

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION Examiner: Bena Miller

Reply to Office Action of: 01/31/2006

Art Unit : 3725

or features requires the development and use of any kind of sophisticated, special or new

technologies or materials.

[0022] These features and advantages, and some others, will become evident to those

skilled in the art, and with basic knowledge in design, through the figures and

descriptions illustrating the present invention, which refers to an innovative kind of

lollipop.

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit: 3725

BRIEF DESCRIPTION OF THE DRAWINGS

[0023] FIGS. 1A to 1E illustrate two relatively simple embodiments of the dancing toy

lollipop object of the present invention, with single movable edible pieces, one of them

with the simplest variation to the current lollipops stick, consisting in a socket

attachment. This figure also shows how simply the manufacturer or the user may

assemble this kind of lollipop.

[0024] FIGS. 2A and 2B illustrate another relatively simple embodiment of the dancing

toy lollipop object of the present invention and its components in exploded and

assembled views.

[0025] FIG. 3 illustrates an alternate embodiment of the dancing toy lollipop object of

the present invention, with one movable edible piece integrated by two halves.

[0026] FIG. 4 illustrates an alternate embodiment of the dancing toy lollipop object of

the present invention, with a cylindrical movable edible piece assembled to a holding

stick.

[0027] FIG. 5 illustrates an alternate embodiment of the dancing toy lollipop object of

the present invention, with a holding stick provided with a mechanically assembled

movable piece, around which is molded a movable edible piece.

[0028] FIGS. 6A thru 6I illustrate in magnified detail views, some different alternate

configurations of upper portions of holding sticks, provided with several possible

embodiments of retaining means located at the top end and at intermediate and lower

positions, that may be used in diverse possible embodiments of the dancing toy lollipop

object of the present invention.

Reply to Office Action of: 01/31/2006

Art Unit: 3725

[0029] FIGS. 7A to 7H illustrate two alternate embodiments of holding sticks and two alternate embodiments of a sliding retaining element, which may be used in different embodiments of the dancing toy lollipop object of the present invention.

[0030] FIGS. 8A to 8H illustrate in axial section views several alternate configurations of movable edible pieces that can be used in different embodiments of the dancing toy lollipop object of the present invention.

[0031] FIGS. 9A to 9C illustrate an alternate preferred embodiment of the dancing toy lollipop object of the present invention, with two movable edible pieces.

[0032] FIGS. 10A to 10 C illustrate enlarged partial section views related to the preferred embodiment of the dancing toy lollipop object of the present invention previously shown in FIGS. 9A thru 9C, and a possible way in which the retaining means are elastically deformed during the assembling of the movable edible pieces to the holding stick, what can be performed either by the manufacturer or the user.

[0033] FIGS. 11A to 11C illustrate another simple alternate embodiment of the dancing toy lollipop object of the present invention, with a single movable edible piece shaped like a sphere.

[0034] FIGS. 12A and 12B illustrate an alternate embodiment of the dancing toy lollipop object of the present invention, with three movable edible pieces with different geometric shapes.

[0035] - [0038] (DELETED)

[0039] FIGS. 13A thru 13D, illustrate an external perspective and front views of an alternate preferred embodiment of the dancing toy lollipop object of the present invention, resembling a little dancing doll supported on a rocking base.

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Art Unit: 3725

Examiner: Bena Miller

[0040] FIGS. 14A thru 14E illustrate another alternate preferred embodiment of the

dancing toy lollipop object of the present invention, resembling a little dancing doll, with

a supporting stationary base.

[0041] FIG. 15 illustrates other possible embodiment of the dancing toy lollipop object

of the present invention, with a ramified holding stick resembling a plant stem with

leaves, and three movable edible pieces resembling little fruits, one on each holding stick

end tip.

[0042] FIG 16 illustrates another possible embodiment of the dancing toy lollipop object

of the present invention, with a ramified holding stick resembling a plant stem with

leaves, similar to that shown in FIG. 19, but with the three movable edible pieces

resembling little flowers at each end tip of the holding stick.

[0043] FIG. 17 illustrates another possible embodiment of the dancing toy lollipop

object of the present invention with an alternate ramified embodiment of the holding

stick and three movable edible pieces, resembling inverted little bells.

[0044] FIG. 18 illustrates another possible embodiment of the dancing toy lollipop

object of the present invention, with a different ramified holding stick configured as a

trident, provided with crimped holding attachments at each tip, to which are assembled

movable edible pieces, with the configuration of little spheres.

[0045] - [0046] (DELETED)

[0047] FIGS.19A and 19B illustrate another possible embodiment of the dancing toy

lollipop object of the present invention, showing the position displacement of several

movable edible pieces stacked onto a holding stick and supported by a sliding retaining

element.

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez **CLEAN VERSION**

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit: 3725

[0048] FIG. 20 illustrates in central and lateral oscillating displaced positions, a possible

embodiment of the dancing toy lollipop object of the present invention, which comprises

a resilient holding stick and several movable edible pieces.

[0049] FIG. 21 illustrates a possible embodiment of the dancing toy lollipop object of

the present invention similar to that shown in FIG. 26, but with a grip portion

attachment resembling a stylized rattlesnake partially wound to form a standing support.

[0050] FIGS. 22A and 22B illustrate an alternate embodiment of the dancing toy

lollipop object of the present invention, comprising a main or primary holding stick with

several movable attachments and multiple secondary short holding sticks with movable

edible pieces assembled to each of them.

[0051] (DELETED)

[0052] FIGS. 23A and 23B illustrate a possible embodiment of the dancing toy lollipop

object of the present invention, previously shown in FIG. 18A, encased under a

protecting transparent cover.

Appl. No. 10/698/231 SUBSTIT Amdt. Dated: 02/21/2006 CLEA

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez
CLEAN VERSION Examiner: Bena Miller

Amdt. Dated: 02/21/2006 CLEAN VERSION Examiner: Bena Miller Reply to Office Action of: 01/31/2006 Art Unit: 3725

DETAILED DESCRIPTION OF THE INVENTION

[0053] The dancing toy lollipop object of the present invention, like conventional lollipops, comprises at least two basic components although may have many supplementary components, which as an attractive option can be manually assembled and combined very easily by the costumer without any tool. The two basic components are: a holding stick and a candy or edible piece attached to one end of the holding stick. However, contrary to conventional lollipops, the union between both components is not rigid, but loose or articulate, due to a special interior cavity inside the candy or edible piece and one or more sets of retaining means, integrated to the holding stick or assembled to it, which match within said interior cavity to retain both basic components in the desired axial position relative to each other, but, at the same time, leaving sufficient free space between the matching elements to allow the movement in relation to the holding stick of the assembled edible piece, so converted into movable edible piece, when the dancing toy lollipop is conveniently moved by the user's hand.

[0054] The term holding stick is preferred instead of the term lollipop stick because in the present invention, though this main part of the lollipop can be almost as simple as in known lollipops, it is provided with special miniature retaining means, and this particular feature turns it into an innovative element, different to those used in current lollipops, and which can be eventually washable and reusable.

[0055] As explained above, the holding stick and the edible part of the dancing toy lollipop object of the present invention may be apparently similar to those used currently either in traditional or in novelty lollipops, but instead of a rigid tight union between the holding stick and the edible pieces, in the present invention these are loose and free to move with respect to the holding stick, when the user manually moves the dancing toy lollipop, while, at the same time, said movable edible pieces remain retained on the holding stick by appropriate retaining means, which are either integral part of said holding stick or separate elements attached to it.

Reply to Office Action of: 01/31/2006

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Examiner: Bena Miller

Art Unit: 3725

[0056] Throughout the description of the invention, the components equivalent to the

edible part in conventional lollipops are referred to as movable edible pieces, because, as

explained above, the main feature of the present invention, is that said parts are movable

in relation to the holding stick, differing from known lollipops, in which the edible parts

are molded around and tightly fixed to an end of a stick.

[0057] The movable pieces in the dancing toy lollipop object of the present invention

can be edible or inedible, because some of them may be made of non-toxic inedible

plastic or any other suitable material. When edible, the movable pieces may be either

candies or medicinal confectioneries. When the movable edible pieces are candies, they

may have either regular or dietetic, and when medicinal, they may have either

prophylactic or therapeutic purposes.

[0058] The retaining means may be resilient or articulated elements or rigid stops. The

resilient or articulated elements, in turn, may be unidirectional or bi-directional, with

many different configurations, provided that they accomplish their function retaining in

reliable axial positions the movable edible pieces, but at the same time allowing their

free movement in relation to the holding stick when the dancing toy lollipop is

conveniently moved by the user's hand.

[0059] Both kinds of retaining means, resilient elements and rigid stops, may adopt

many different shapes, and may be located in different positions on the holding stick.

[0060] The function of the resilient retaining elements located immediately at the upper

end of the holding stick is to allow the entry of movable pieces and, at the same time,

prevent them from sliding up and out of said holding stick.

[0061] The function of the bi-directional resilient retaining elements is to retain one or

more movable edible pieces in the desired positions on the holding stick, but allowing

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit: 3725

the axial displacement of said movable edible pieces in both directions, requiring little

effort by the user.

[0062] The retaining means may be of different types, such as resilient or articulated

latches or flaps or rigid stops, and may adopt many configurations. Therefore, they may

be referred to, indistinctly, as retaining means or elements, resilient retaining means or

elements, resilient latches, retainers, etc.

[0063] (DELETED)

[0064] All components of the present invention, in all their possible variations, can be

produced using current manufacturing processes, which allow high rates of production,

are reliable and highly efficient, and are very well known in the fields of confectionery

and injection molding. Neither new nor special or sophisticated processes or materials

are required for the development and introduction in production of the dancing toy

lollipop object of the present invention.

[0065] In the consecutive drawings, the elements or parts of elements are designated

with combinations of three or more digits. The last two digits at the right, followed or

not by a lower case letter or prime symbols, are related to the function or type of element

or part of element, rather than to its configuration, since there are a great number of

different possible shapes for the same type of component. The remaining digits to the

left identify the number of the figure where an element or part of element with the same

configuration was referred to for the first time throughout the detailed description of the

invention. When two or more elements of the same type and function, but with different

configuration, are referred to in a same figure or group of figures, since all the digits will

be the same, one of them will be identified adding a lower case letter or a prime symbol

at the right end of its designation. On the other hand, for the indications of movement,

dotted line arrows are used, designated by a capital M followed by consecutive numbers,

which are repeated in different figures, whenever the movements are of the same type

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez **CLEAN VERSION**

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit: 3725

and direction. To designate sections, details and directions of views, consecutive not

repeated roman numbers are used.

[0066] All main features of the dancing toy lollipop object of the present invention, are

explained in the detailed description of the illustrative drawings; however, the possible

embodiments of the components of the present invention may be much more diversified

than those shown in the following figures.

[0067] FIGS. 1A thru 1E illustrate two different simple possible embodiments of the

dancing toy lollipop object of the present invention, with two different holding sticks

combined with two different configurations of movable edible pieces and holding sticks

attachments.

[0068] In FIG. 1A is shown an axial section view during the process of assembling by

the user of a possible embodiment of the dancing toy lollipop object of the present

invention, which comprises a holding stick 101, substantially similar to the cylindrical

holding stick used in common lollipops, but at whose top end is securely fixed the

holding stick attachment 101a. In this embodiment the holding stick attachment 101a is

of female type, provided with a socket 110 and is securely attached to the top end of the

stick 101 by the notches 111, crimped on the socket 110 of the holding stick attachment

101a after its assembling. The top end 103 of said attachment 101a is rounded to

facilitate the assembling of the single movable edible piece 102, which has spherical

shape in this case. The holding stick attachment 101a is provided with upper resilient

retaining elements 104, consisting in this case, in a couple of thin rounded fin like tiny

flexible elements protruding to opposite sides of said holding stick attachment which, in

addition, is also provided with a lower retainer consisting in a stop 105. The upper

retaining elements 104 are immediately adjacent to the top end 103, and the lower stop

105 is located at short distance below, forming a neck space 106 between both of them.

In this view, the movable edible piece 102 is shown axially sectioned, in a momentary

axial position, during its assembling to the holding stick 101, combining a downward

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit : 3725

displacement with a twisting clockwise motion, as indicated by the arrows M1 and M2.

respectively, in a sort of a combined helical movement. At the position illustrated, a

constrained interior circular edge or throat 109, at the bottom of the tapered interior

cavity 108 in the movable edible piece 102, is passing over the resilient retaining

elements 104, elastically bending clockwise both opposite round flexible retaining

elements 104 inwardly toward the holding stick axis to allow the assembling of the

movable edible piece 102 to the holding stick attachment 101a. This innovative lollipop

includes among its main features that it may be custom assembled by the consumer him-

(her)- self, though it may also be assembled by the manufacturer of the main

components.

[0069] In FIG. 1B is shown a magnified section view of the embodiment shown in FIG.

1A through the plane designated by the line I-I in the same figure. In this view can be

observed a magnified cross section of the lower portion of the movable edible piece 102

during its assembling, at an instant in which the upper resilient retaining elements 104

are elastically bent clockwise inwardly toward the axis of the holding stick attachment

101a, so that the outer distance from tip to tip of the opposite fin like elements is

momentarily reduced and substantially equal to the diameter of the throat 109 in the

movable edible piece 102.

[0070] In FIG. 1C is shown an elevation view, looking in the direction indicated by the

arrow II in FIG. 1A, of the same possible embodiment previously shown in FIGS. 1A

and 1B, held by the user's hand 100, with the movable edible piece 102 viewed in axial

section, already assembled in its final position, wherein the throat 109, at the bottom of

the interior cavity 108, is engaged at the neck space 106, being retained said movable

edible piece 102 in axial position by the resilient retaining elements 104 and the lower

stop 105 on the holding stick attachment 101a, in such a way, that said movable edible

piece is free to rock, tilt and/or rotate to any side in relation to the holding stick 101, as

indicated by the arrow M3 and illustrated by the dashed line contours, when the

dancing toy lollipop is conveniently moved by the user's hand 100.

Appl. No. 10/698/231 SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

Amdt. Dated: 02/21/2006 **CLEAN VERSION**

Examiner: Bena Miller Reply to Office Action of: 01/31/2006 Art Unit: 3725

[0071] The resting position of the movable edible piece depends upon the height of its center of gravity relative to its throat or plane of support. When the throat or plane of support is lower than the center of gravity, as in the case of the embodiment illustrated in FIGS 1A to 1C, the normal resting position of the movable edible piece is inclined or tilted to a side. When the throat or plane of support is higher than, or coincident with, the center of gravity, as in other embodiments that will be shown further, the resting position of the movable edible pieces may be centered.

[0072] FIG 1D is a top view of the same embodiment shown in FIG. 1C.

[0073] In FIG. 1E is shown an axial section view of an alternate simple embodiment of the present invention, in which the holding stick 101' consists in a hollow cylindrical stick similar to common drinking straws, to which is securely inserted a holding stick attachment 101a'. In this alternate embodiment the holding stick attachment 101a' is of male type, provided with a lower stem 112. The holding stick attachment 101a' is securely fitted to the hollow holding stick 101' by tight fit, using a currently available non-toxic adhesive or by any suitable procedure. In this embodiment, the top end 103' of the holding stick attachment 101a' is split open, allowing the elastic inward depression of the resilient retaining elements 104', which consist in a pair of opposite upper flexible latches, to allow the attachment and retention of the movable edible piece 102', shaped like an inverted truncated cone or inverted little bell, so that the throat 109', located in this case at an intermediate section of the interior cavity 108, is engaged at the neck space 106' of the holding stick attachment 101a', located between the upper flexible latches 104' and the stop 105'. In this view, as in FIG. 1C, can be appreciated the free space between the interior cavity in the movable edible piece and the holding stick attachment, such that said movable edible piece 102', though reliably retained in axial position, is free to swing and/or swivel in relation to the holding stick 101', in a sort of random dancing motions, when the dancing toy lollipop is conveniently flipped, shaken or revolved manually by the user. Furthermore, when the movable edible piece is being

SUBSTITUTE SPECIFICATION

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Applicant: Rodolfo Fernandez **Examiner: Bena Miller**

Art Unit : 3725

consumed, inside the consumer's mouth, it may be sucked, licked and moved by the

user's tongue in a way very similar to the possible movements of common candies

which, unlike known lollipops, are not restrained by tightly inserted holding sticks.

[0074] FIGS. 2A thru 2E illustrate another possible embodiment of the dancing toy

lollipop object of the present invention, with a simple holding stick combined with an

alternate embodiment of a movable edible piece, which is provided with an optional

edible plug.

[0075] In FIG. 2A is shown an exploded elevation view of a possible embodiment of the

dancing toy lollipop. At the lower part of the figure, is shown a holding stick 201, which

consists in a cylindrical stick with its lower end 207 rounded, and with the core section

of its upper end tip 103 reduced and provided with resilient retaining elements 104,

comprising, in turn, opposite thin rounded fin like tiny elements like those referred to for

the first time in FIG. 1C, whose normally expanded width is slightly larger than the

section of the body of the holding stick, forming a smaller section space or neck 106,

which is below, adjacent to said retaining elements 104, adopting a configuration similar

to the upper portion of the holding stick attachment 101a previously shown in FIGS. 1A

thru 1D.

[0076] In the same FIG. 2A, above the holding stick, is shown an axial section view of a

movable piece 102, like that referred to for the first time in FIG. 1A, with the

configuration of a sphere, in which the interior cavity 108 has the shape of a tapered

hole, with the lower end opening reduced to form the throat 109. The size of the throat

109 is slightly smaller than the width of the normally expanded flexible round fin like

retaining elements 104, and slightly smaller than the diameter of the body of the holding

stick 201 previously described, and shown below in FIG. 2A. At the same time, said

throat 109 is slightly larger than the width of the section at the neck space 106 of the

holding stick.

Applicant: Rodolfo Fernandez CLEAN VERSION Examiner: Bena Miller Reply to Office Action of: 01/31/2006

Art Unit: 3725

[0077] (DELETED)

[0078] On top of FIG. 2A is shown an axial section view of an edible plug 213, in this

particular embodiment configured as a tapered cylinder with a flat upper surface.

[0079] In FIG. 2B is shown an axial section view of the same possible embodiment

completely assembled of the dancing toy lollipop previously shown exploded in FIG.

2A, with the holding stick 201, the movable edible piece 102 and the edible plug 213.

As can be seen in this figure, the resilient retaining elements 104, prevent said movable

edible piece 102 from going out upward easily, because their normal expanded width is

slightly larger than the diameter of the throat 109 at the bottom of the interior cavity 108

in said movable edible piece and, on the other hand, said throat is slightly smaller than

the main body section of the holding stick 201, so that said movable edible piece may

not slip down either. In this figure can be seen also that there is a significant gap

between the interior cavity 108 of the movable edible piece 102 and the upper tip portion

103 of the holding stick 201 with the expanded resilient retaining elements 104.

Therefore, though said movable edible piece is retained in a reliable axial position, it is

free to rotate, swing and/or swivel in relation to the holding stick 201, as illustrated by

the dotted line contours, in a sort of dancing random movements, whenever the dancing

toy lollipop is conveniently flipped, shaken or revolved by the user's hand as indicated

by the arrow M3.

[0080] FIG. 3 illustrates another possible embodiment of the dancing toy lollipop

object of the present invention, with a simple holding stick combined with another

possible embodiment of movable edible piece integrated by two halves.

[0081] In this figure is shown an elevation view illustrating an alternate embodiment of

the dancing toy lollipop comprising a holding stick 301, provided with a spherical rigid

stop at its top end stop 303 and two symmetrical hollow semi spherical candy halves

302a, shown in axial section, which are joined together around the top end stop 303 of

Appl. No. 10/698/231 SUBSTITUTE SPECIFICATION

CLEAN VERSION

Amdt. Dated: 02/21/2006 **Examiner: Bena Miller** Reply to Office Action of: 01/31/2006 Art Unit: 3725

the holding stick 301. Each half movable edible piece may be of different color, flavor

Applicant: Rodolfo Fernandez

and shape, to please the variety of preferences of the consumers.

[0082] The union of both halves may be achieved by any appropriate procedure such as

an edible and currently available sugar-based adhesive. In this figure can be appreciated

that both halves integrate a spherical hollow movable edible piece 302, with its interior

cavity in the form of a spherical chamber, substantially larger than the top end stop 303

but with a narrow opening or throat 309 at its bottom, such that said movable edible

piece 302, after its assembling, cannot be removed from the holding stick 301, but is free

to rotate, swing and/or swivel in relation to said holding stick, when the dancing toy

lollipop is conveniently flipped, shaken or revolved by the user's hand.

[0083] In FIG. 4 is shown an axial section view of another alternate embodiment of the

dancing toy lollipop object of the present invention, comprising a single movable edible

piece 402 with cylindrical shape, and a holding stick 401 provided at its top end 403

with the resilient retaining elements 404, consisting in opposite laterally protruding

resilient pins, which can be elastically bent downward to allow the insertion of the

holding stick 401 into the interior cavity 408 inside the movable edible piece 402, which

is open at its bottom, while said cavity, in turn, is provided with transverse holes 408',

into which the resilient retaining pins 404 expand, thereof retaining in axial position

the edible piece 402 onto the holding stick 401, but with a loose articulated union that

allows swinging movements of said movable edible piece in relation to said holding

stick, when the dancing toy lollipop is conveniently moved by the user.

[0084] FIG. 5 illustrates another possible embodiment of the dancing toy lollipop object

of the present invention, with a holding stick provided with a movable attachment,

around which is tightly molded the candy mass.

[0085] In this figure is shown an axial section view of an alternate embodiment of a

combined holding stick for the dancing toy lollipop object of the present invention,

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit : 3725

Applicant: Rodolfo Fernandez

comprising a basic holding stick 501, which consists in a cylindrical stick with a

semispherical top end stop 503, and a movable attachment 514, consisting in a thin wall

hollow cylindrical shell or socket closed at its upper end.

[0086] Said movable attachment 514 is assembled to the top end stop 503 of the holding

stick 501 with the shell constricted below said top end stop to a diameter smaller than

the top end stop diameter, forming a throat 509 and a union with the holding stick that

behaves as a sort of universal joint, such that said movable attachment cannot be

disassembled from the holding stick 501, while its loose fit allows said movable

attachment to move in relation to the holding stick when the dancing toy lollipop

provided with such type of combined holding stick is conveniently moved by the user.

[0087] This embodiment of dancing toy lollipop is completed by a manufacturing

process similar to current processes, wherein the candy mass is tightly molded around

the movable shell attachment 514, integrating with it a movable edible piece 502, with

spherical shape, like some movable edible pieces shown in other figures. However this

embodiment, like that described in FIG. 3 and unlike most embodiments of dancing toy

lollipops, does not allow an active participation of the user in its assembling, because

factory procedures and tooling are required.

[0088] The holding stick 501 and its top end stop 503 may adopt many different

configurations, and can be made using diverse materials, so as the movable attachment

514, which can be made of different suitable materials with appropriate chemical and

mechanical properties and the movable edible pieces, which can be made in diverse

colors, flavors and shapes.

[0089] In FIGS. 6A thru 6I are shown magnified details of some different alternate

configurations of upper portions of holding sticks, provided with several possible

embodiments of retaining means for the dancing toy lollipop object of the present

invention, located in different positions on the holding sticks. The purpose of the

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit: 3725

retaining means is to retain the movable edible pieces of the dancing toy lollipop, shown

in other figures, assembled to the holding stick in the desired axial positions, but with a

loose connection between said movable edible pieces and the holding stick, because

when the retaining elements expand inside the interior cavity of said movable pieces,

there is a wide empty space or clearance between the expanded retaining elements and

the interior cavity, such that said retaining means allow (not cause) the motions of said

movable edible pieces in relation to the holding stick, when the user holding the dancing

toy lollipop conveniently moves it with his/her hand. These alternate embodiments of

retaining means at the upper portions of holding sticks have been or will be referred to

and described in other figures.

[0090] FIGS. 7A thru 7H illustrate two different possible embodiments of holding

sticks that interact with two possible embodiments of sliding retaining elements, which

may be used optionally in alternate embodiments of the dancing toy lollipop object of

the present invention, as will be shown in other figures.

[0091] In FIG. 7A is shown an elevation view of an alternate preferred embodiment of

the holding stick 701, in which the top end 303 has the configuration of a sphere like

that referred to for the first time in FIG. 3A, performing as rigid stop, with its diameter

slightly larger than the holding stick body, which, in turn, is provided with a series of

notches 715 along its surface, in a rack like pattern, while the lower end 207 of the

holding stick, in this case the entry end, is rounded, like that shown for the first time in

FIG. 2A.

[0092] In FIG. 7B is shown an elevation view of the same holding stick 701 illustrated

in FIG. 7A, looking in the direction indicated by the arrow III in said figure. In this

view can be seen the unidirectional profile of the notches 715, which allows upward and

opposes downward displacements.

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit: 3725

[0093] In FIG. 7C is shown an elevation view of an alternate embodiment of the

holding stick 701' with a smooth elongated body and with a spherical top end stop 303.

[0099] In FIG. 7D is shown a top view of a possible embodiment of a sliding retaining

element 716, to be used in combination with the rack type holding stick 701, configured

like a sort of conical flange 717 with a bored center hub 718.

[0100] In FIG. 7E is shown an axial section view of the sliding retaining element 716

shown in FIG 7D, through the plane designated by the line IV-IV in said figure, wherein

can be seen its central hub 718, with an axial bore to allow the insertion through it of the

holding stick 701.

[0101] In FIG. 7F is shown a magnified detail view of the encircled area designated by

the arrow V in FIG. 7E, showing a resilient flap type unidirectional locking element

719, located at the cylindrical wall of the bored center hub and angularly protruding

toward the axis of the hub, whose function is to engage into a matching notch on the

rack type holding stick 701 to lock in axial position the sliding retaining element 717,

preventing it from slipping down, but easily allowing its upward displacement by the

user.

[0102] Combining a rack type holding stick 701 and a sliding retaining element 716

provided with a lock element 719, the user may assemble and disassemble the dancing

toy lollipop, removing the sliding retaining element 716 from the holding stick 701. To

remove the sliding retaining element from the holding stick, it is only necessary for the

user to rotate said sliding retaining element either clockwise or counterclockwise, so

that the resilient locking element 719 is pushed out, disengaged from the notch, and

rotated to the smooth surface area of the holding stick body, so that the sliding retaining

element is released and free to be displaced along the holding stick in any direction.

This useful feature allows the user to create different combinations of movable edible

pieces, not shown, or to replace those already consumed.

SUBSTITUTE SPECIFICATION CLEAN VERSION

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Applicant: Rodolfo Fernandez

Art Unit : 3725

[0103] In FIG. 7G is shown an axial section view of another alternate embodiment of sliding retaining element 716', to be used in combination with the smooth body holding stick 701', being said sliding retaining element provided with a central hub 718' with an axial tapered bore, and at opposite sides of said hub, protrude angularly downward a sort of small levers 722, resembling doll legs in this case, which the user may push inwardly with his/her fingers as indicated by the arrows M4, to expand the upper and smaller end of the tapered hole of the hub 718', as indicated by the arrow M5, thanks to a pair of opposite slits along the walls of the bored central hub which can be seen magnified in FIG. 7H.

[0104] In FIG. 7H is shown a magnified detail view of the encircled area designated by the arrow VI in FIG. 7G. In this figure can be clearly seen that at the upper and smaller end 720 of the tapered hole 721, the bored central hub 718', has two 180 degrees opposite slits 723, cut at a plane rotated 90 degrees relative to the protruding levers 722, being the normal diameter of said smaller end 720 slightly smaller than the diameter of the smooth body section of the holding stick 701', in order to provide an elastic tight fit between both components, being said fit tight enough to accomplish the desired retaining function. To displace toward the top end of the smooth body holding stick 701' the lower movable edible pieces, or to remove the sliding retaining element 716' to assemble new replacement movable edible pieces, the user moves the sliding retaining element along the holding stick, releasing it by pressing its levers 722 inwardly, as explained in FIG. 7G, elastically expanding the slits 723, so that the upper smaller end 720 of the tapered hole 721 expands to a size slightly larger than the holding stick section, as illustrated by the dashed line contours, and then the sliding retaining element 716' may be easily displaced upward or downward along the holding stick 701' as desired by the user.

SUBSTITUTE SPECIFICATION

CLEAN VERSION

Examiner: Bena Miller

Applicant: Rodolfo Fernandez

Reply to Office Action of: 01/31/2006

Art Unit: 3725

[0105] In addition, said sliding retaining elements described above, may be used as

finger guards to prevent the direct contact of the user's hand with the movable edible

pieces, contributing to a cleaner and more hygienic handling of the dancing toy lollipop

[0106] FIGS. 8A thru 8H illustrate axial section views of different alternate

embodiments of movable edible pieces for the dancing toy lollipop object of the present

invention, varying in external shape and in the configuration and position of the interior

cavity. These configurations of movable edible pieces have been and will be shown in

other figures.

[0107] FIGS. 9A thru 9C illustrate a preferred embodiment of the dancing toy lollipop

object of the present invention, wherein an alternate embodiment of the holding stick is

combined with two possible embodiments of movable edible pieces stacked one above

the other.

[0108] In FIG. 9A is shown an axial section view of an alternate preferred embodiment

of the present invention at rest or central position, comprising a holding stick 901 with

the configuration of a cylindrical stick, similar to that previously shown in FIG. 6B, and

two movable edible pieces, one above the other. The upper one has the shape of a sphere

resembling a stylized doll head 902, like that shown in FIG. 8E, while the lower

movable edible piece 102' is configured as a truncated cone, resembling a little bell or a

stylized doll skirt, like that shown for the first time in FIG. 1E. The plug 913 is an

optional piece, similar to that shown in FIG. 2 identified as 213, but with its outer

surface convex instead of flat. Said plug 913 is tightly and securely inserted into the

upper outer opening of the upper movable edible piece 902, with the aid of pressure,

heat, an edible sugar based adhesive or any other suitable procedure.

[0109] From this central position, both movable edible pieces 902 and 102' may swing

or rock in any direction in relation to the holding stick 901, as indicated by the arrows

M3 and M6, when the toy lollipop is conveniently flipped or shaken by the user's hand.

SUBSTITUTE SPECIFICATION

CLEAN VERSION

Examiner: Bena Miller

Applicant: Rodolfo Fernandez

Reply to Office Action of: 01/31/2006

Art Unit: 3725

In addition, the movable edible pieces 902 and 102' are free to be rotated by the user around the holding stick 901.

[0110] In FIG. 9B is shown the same preferred embodiment of the present invention,

shown in FIG. 9A, with the movable edible pieces 902 and 102' rocked or swung to the

left, as indicated by the arrows M7 and M8.

[0111] In FIG. 9C is shown the same preferred embodiment of the present invention,

shown in FIGS. 9A and 9B, with the movable edible pieces 902 and 102' rocked or

swung to the right, as indicated by the arrows M9 and M10.

[0112] (DELETED)

[0113] FIGS. 10A thru 10C illustrate in magnified details the preferred embodiment of

the dancing toy lollipop previously shown in FIGS. 9A thru 9C, to teach the behavior of

the particular type of resilient retaining means used in said embodiment, during the

assembling process either by the user or the manufacturer.

[0114] In FIG. 10A is shown a magnified axial section view of the same embodiment of

the present invention previously illustrated in FIGS. 9A thru 9C, showing the upper

portion of the holding stick 901, during the assembling of a movable edible piece 102' to

it. In this view can be observed that the resilient retaining elements 1004, conformed like

a miniature slotted arrow at the top end 1003 of the holding stick 901, are elastically

depressed inwardly toward the axis of said holding stick, when the narrow section or

throat 109' in the interior cavity 108' of the movable edible piece 102' is slid over them,

closing the gap between the inner walls of the slot 1024, which, at the instant shown, is

partially collapsed, thus reducing the width of the holding stick 901 at the section where

said resilient retaining elements 1004 are located, in such a way, that momentarily, the

exterior section width of the retaining elements becomes substantially equal to the width

or diameter of the throat 109' in the interior cavity 108' of the movable edible piece

SUBSTITUTE SPECIFICATION **CLEAN VERSION**

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Applicant: Rodolfo Fernandez

Art Unit: 3725

102', allowing the axial displacement of said movable edible piece 102' in the direction indicated by the arrow M1, toward the neck space 1006. From there, the movable edible piece may be displaced toward the rigid stop 1025 below, adjacent above the grip portion of the holding stick 901, passing over the second resilient bi-directional resilient retaining elements 1005, which, in turn, are depressed in the same way described above for the resilient retaining elements 1004.

[0115] In FIG. 10B is illustrated a top view of the embodiment shown in FIG. 10A. looking in the direction indicated by the arrow VII in said figure.

[0116] In FIG. 10C is shown a magnified axial section view of the same upper portion of the dancing toy lollipop illustrated in FIG. 10A, with the upper and lower movable edible pieces 902 and 102' in their respective final positions on the holding stick 901, after having been completed the assembling process, either by the user, or at the factory. In this enlarged view can be seen that, due to the configuration and size of the interior cavity 108' in the upper movable edible piece 902, both resilient retaining elements 1004 and 1005 are able to recover elastically their normally expanded position inside the interior cavity of the movable edible pieces 902 and 102', respectively. In that condition, the inner edge at the throat 109' inside the interior cavity of the upper movable edible piece 902, is engaged at the narrow neck space 1006, while the normally expanded resilient retaining elements 1004, impede said upper movable edible piece 902 to move up and go out easily of the holding stick 901. At the same time, said upper movable edible piece 902 is also prevented to slip down by the lower bi-directional resilient retaining elements 1005 or by the lower movable edible piece 102', located below and previously assembled to the holding stick 901. This lower movable edible piece 102', in turn, is prevented to slip down further and out from the holding stick 901, by the rigid stop 1025, which is slightly larger than the diameter of the throat 109' in said movable edible piece 102'. However, the assembling cavities 108' of both movable edible pieces 902 and 102', are substantially wider than the retaining elements and, at the same time, the diameters of the throats 109' inside the assembling cavities 108' of both movable

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit : 3725

edible pieces 902 and 102', are slightly larger than the section of the holding stick 901 at

the neck space 1006 and than the cylindrical body of said holding stick 901. Therefore

both movable edible pieces 902 and 102, though reliably retained in axial position, are

free to be swung, rocked, swiveled and/or rotated in relation to said holding stick 901,

when the dancing toy lollipop is conveniently moved by the user.

[0117] Depending upon the friction between the movable edible pieces and the way in

which the lollipop is moved by the user's hand, the movements of said movable edible

pieces vary greatly, in random patterns and combinations that, eventually, resemble

funny and pleasant dancing movements. The movable edible pieces of the present

invention also increase the user's pleasure due to the multiple possible movements when

said edible pieces are sucked or licked inside the user's mouth, almost as freely as

common candies, without rigidly inserted sticks typical in prior art lollipops.

[0118] When the upper movable edible piece 902 is worn out, the user may consume the

lower movable edible piece 102' in its low position or, optionally, may displace it

upward to the neck space 1006 to the position previously occupied by the worn out

movable edible piece 902, passing over the bi-directional resilient retaining elements

1005, whose shape allows the displacement of the movable edible piece 102' in both

axial directions, when the user, with little effort, moves it toward the desired position

where said movable edible piece remains held at the neck 1006 between both retaining

means 1004 and 1005.

[0119] FIGS. 11A thru 11C illustrate an alternate embodiment of the dancing toy

lollipop object of the present invention, comprising a cylindrical holding stick combined

with a single spherical movable edible piece.

[0120] In FIG. 11A is shown an axial section view illustrating, at rest or central

position, an alternate embodiment of the dancing toy lollipop object of the present

invention, with a single spherical movable edible piece 902, like that referred to for the

Appl. No. 10/698/231 SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez
Amdt. Dated: 02/21/2006 CLEAN VERSION Examiner: Bena Miller

Art Unit : 3725

Reply to Office Action of: 01/31/2006

first time in FIG. 9A, assembled to a possible embodiment of the holding stick 1101,

with the configuration of its upper tip almost like that previously described in FIG. 10A,

but with a slight difference due to the missing rigid lower stop shown in said figure. The

arrow M3 indicates the possible rocking or swinging motion of the movable edible

piece 902 in relation to the holding stick 1101 when the dancing toy lollipop is

conveniently moved by the user.

[0121] In FIG. 11B is shown an axial section view of the same embodiment shown in

FIG. 11A, illustrating the movable edible piece 902 rocked or swung to the left, as

indicated by the arrow M7.

[0122] In FIG. 11C is shown an axial section view of the same embodiment shown in

FIGS. 11A and 11B, illustrating the movable edible piece 902 rocked or swung to the

right, as indicated by the arrow M9

[0123] FIGS. 12A and 12B illustrate other alternate embodiment of the dancing toy

lollipop object of the present invention combining three movable edible pieces with

different geometrical configurations.

[0124] In FIG. 12A is shown an elevation view of an alternate embodiment of the

dancing toy lollipop, comprising a holding stick 901, like that referred to for the first

time in FIG. 9A and described in FIG. 10A, to which are assembled three movable

edible pieces, with different configurations and sizes, stacked one above the other on the

upper portion of said holding stick 901, previously shown in FIG. 6B and others. In this

case, the lower and larger movable edible piece 1202 has the shape of a flat cylinder; the

intermediate movable edible piece 1202, has the shape of a flat prism with square

section and the upper and smaller movable edible piece 1202" has the shape of a flat

prism with triangular section. The arrow M11 indicates possible directions of rocking

motion of the movable edible piece when the dancing toy lollipop is conveniently moved

by the user.

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller Art Unit : 3725

[0125] In FIG. 12B is shown a top view of the same embodiment shown in FIG. 12A,

in the direction of the arrow VIII. The arrow M12 indicates possible directions of

rotational motion of the movable edible pieces 102, being said motion caused by the

action of the user.

[0126] The assembling cavities of all three movable edible pieces, as shown in FIG. 8H

are randomly eccentrically located, what facilitates to impart rotation to the movable

edible pieces when the user revolves the holding stick 901 in a planetary motion mode.

[0127] - [0142] (DELETED)

[0143] FIGS. 13A thru 13C illustrate a relatively complex alternate embodiment of the

dancing toy lollipop object of the present invention, combined with several movable

edible pieces and inedible components, resembling a little dancing doll, standing on a

rocking base.

[0144] In FIG. 13A is shown a perspective view of an assembly of dancing toy lollipop

resembling a little dancing doll, at rest or central position, comprising six independent

components: the holding stick 901, like that referred to for the first time in FIG. 9A and

described in FIG. 10A; two movable edible pieces, one on the top, resembling the head

902, with a candy plug 913 closing its upper opening, like those referred to for the first

time in FIG. 9A, and the other, below, resembling the skirt 102', like that referred to for

the first time in FIG. 1E, in inverted position; an upper intermediate movable piece 1326

resembling the torso and arms of the little doll, which may be either edible or inedible,

and is located between both movable edible pieces 902 and 102'; and the lower inedible

piece 716' resembling the legs of the little doll, which at the same time is a sliding

retaining element like that referred to for the first time in FIG. 7G.

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Examiner: Bena Miller

Reply to Office Action of: 01/31/2006

Art Unit: 3725

[0145] This alternate embodiment, as most of them, may be supported on a rocking base

1327, with its lower surface configured as a section of a sphere, in order to rock or

swing over a suitable surface whenever it is moved by the user.

[0146] In FIG.13B is shown a front view of the same embodiment shown in FIG. 13A,

illustrating an instant of a possible dancing like motion of the toy lollipop, in which the

rocking base 1327, on a flat surface 1328, is inclined to the left, while the arms 1326 are

swung to the right, and the movable edible piece 902 resembling the head at the top with

the plug 913 and the movable edible piece 102' resembling the skirt below, are swung to

the left, as indicated by the arrow M7.

[0147] In FIG. 13C is shown a front view of the same embodiment shown in FIGS. 13A

and 13B, in an instant position of movement, in which the rocking base 1327 on a flat

surface 1328, is inclined to the right, while the arms 1326 are swung to the left, and the

movable edible pieces 902, resembling the head at the top with the plug 913 and the

movable edible piece 102' resembling the skirt below, are swung to the right as indicated

by the arrow M9.

[0148] (DELETED)

[0149] Depending upon the way in which the dancing toy lollipop is shaken, flipped,

revolved or rocked on the rocking base, or held on the user's hand, the movable pieces

of the toy lollipop will oscillate to one side or the other, and/or rotate in many different

possible motion combinations, producing amusing and entertaining dancing like motion

effects. In all cases, said motions must be caused by the action of the user.

[0150] FIGS. 14A thru 14D illustrate another alternate embodiment of the dancing toy

lollipop object of the present invention, resembling a little dancing doll, combining a

specially configured holding stick with several movable edible pieces and inedible

components, some of them similar to those previously shown and referred to for the first

SUBSTITUTE SPECIFICATION CLEAN VERSION

Reply to Office Action of: 01/31/2006

Applicant: Rodolfo Fernandez Examiner: Bena Miller

Art Unit: 3725

time in FIGS. 13A thru 13C, but in these case provided with an optional flat supporting

base which is stationary.

[0151] In FIG.14A is shown an elevation view of another embodiment of multi candy

dancing toy lollipop resembling a little dancing doll 1400, standing on a static

supporting base 1427. This alternate preferred embodiment comprises two movable

edible pieces: one with spherical configuration on top, resembling the head of the doll

902, with an edible plug 913, securely inserted to close its outer opening, both pieces

similar to those referred to for the first time in FIG. 9A, and below, the lower movable

edible piece 1402, resembling the skirt of the little dancing doll, almost like the movable

edible piece 1302 previously shown in FIGS. 13A thru 13C, but slightly different due to

its outer curved lateral surface; both movable edible pieces are separated by an

intermediate component 1326, exactly like that referred to for the first time in FIGS.

13A, resembling the torso and extended arms of the doll, which may be, either an edible

piece or an inedible component made of plastic or any other suitable material. All those

pieces, are assembled to the holding stick 1401, also made of plastic or any suitable

material, and specially configured, such that its grip portion 1401a resembles the legs of

the dancing doll, while its lower end tip, not shown in this figure, is designed to be

inserted into the optional stationary base 1427, which, in turn, is made of plastic or any other suitable material and is provided with a flat lower surface to keep the dancing toy

lollipop vertically on any appropriate surface 1328, as shown in FIG. 13A, such as a

table top.

[0152] In FIG. 14B is shown a top view of the same embodiment of the dancing toy

lollipop shown in FIG.14A.

[0153] In FIG. 14C is shown a front axial section view of the same embodiment of the

dancing toy lollipop shown in FIGS. 14A and 14B. This view illustrates the internal

configuration of the movable edible pieces 902 and 1402, and the intermediate movable

piece 1326, all provided with interior cavities 108' and assembled to the holding stick

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez **CLEAN VERSION** Examiner: Bena Miller

Reply to Office Action of: 01/31/2006

Art Unit: 3725

1401, in such a way, that said movable edible pieces 902 and 1402, and the intermediate movable piece 1326, though retained in axial position by the retaining means on the holding stick, are free to be swiveled or swung to any side in relation to said holding stick 1401, when the dancing toy lollipop is conveniently flipped, shaken or revolved by the user's hand. In this view is also shown the holding stick grip portion 1401a resembling the legs of the doll, and its lower end tip 1429, inserted into the hole 1430 located at the center of the base 1427 and properly configured and dimensioned to securely fit into it the lower end tip 1429 of the holding stick 1401, in order to keep the lollipop in vertical position on a flat surface 1328, when it is not being held by the user. In addition, the optional base 1427 is provided with an outer rim edge 1431 conveniently configured and dimensioned for a purpose that will be explained further in FIGS. 23A

[0154] In FIG. 14D is shown the embodiment of the holding stick 1401 for the alternate embodiment of the dancing toy lollipop shown in FIGS. 14A thru 14C, illustrating its main parts: the top resilient retaining elements 1004 located near the top end 1003; the neck space 1006; the lower bi-directional resilient retaining elements 1005, all said three parts like those referred to for the first time in FIG. 10A; the grip portion 1401a, resembling the doll legs and, at the same time, acting as lower rigid stop for the movable edible pieces; above. This holding stick is provided with a lower end tip 1429, to insert the holding stick into the optional base 1427, as shown in FIG. 14C.

[0155] (DELETED)

and 23B.

[0156] In FIG. 15 is shown an elevation view of another embodiment of the dancing toy lollipop object of the present invention, in which the holding stick 1501 resembles a ramified plant stem with one main and central holding stick 1501, and two lateral branches 1501a, all provided with decorative elements 1532 resembling leaves, while to each of the three tips of said ramified holding stick, is assembled a movable edible

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez CLEAN VERSION

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit: 3725

piece 1502, resembling small fruits, all of them with the optional candy plugs 913, like

that referred to for the first time in FIG. 9A, closing their outer openings.

[0157] In FIG. 16 is shown an elevation view of another embodiment of the dancing toy

lollipop object of the present invention, in which the holding stick 1501 has the same

configuration referred to for the first time in FIG. 15, but in this alternate possible

embodiment the movable edible pieces 1602 assembled to each end tip, resemble little

flowers.

[0158] These, and in general almost all possible embodiments of the dancing toy

lollipop object of the present invention, may be provided with optional bases, as shown

in FIGS. 13A and 14A, to hold the dancing toy lollipop in a vertical position on any

appropriate surface, when the lollipop is not being held by the user.

[0159] In FIG. 17 is shown an elevation view of another alternate embodiment of the

dancing toy lollipop object of the present invention, in which the holding stick 1701 is

ramified in three smooth holding sticks, each with a movable edible piece, 102',

resembling an inverted little bell or stylized flower, similar to that referred to for the first

time in FIG. 1E.

[0160] In FIG.18 is shown an elevation view of another alternate embodiment of the

dancing toy lollipop object of the present invention, illustrating a holding stick 1801

with the configuration of a trident, provided with holding attachments 101a on each tip

end, similar to that referred to for the first time in FIG. 1A, while to each of them is

assembled a movable edible piece 102, like that referred to for the first time in said

figure.

[0161] - [0162] (DELETED)

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit : 3725

[0163] FIGS 19A and 19B illustrate in axial section views another alternate

embodiment of the dancing toy lollipop object of the present invention, provided with

several stacked movable edible pieces retained in the desired axial position by a sliding

retaining element, which allows the manual upward displacement by the user of the

remaining movable edible pieces when the top one has been consumed.

[0164] In FIG. 19A is shown an axial section view of an alternate embodiment of the

dancing toy lollipop object of the present invention, with a rack like type holding stick

701, like that referred to for the first time in FIG. 7A, provided with a series of notches

715 along its upper portion and with a rigid spherical stop at its top end 303, like that

referred to for the first time in FIG. 3A, wherein is assembled to said holding stick one

movable edible piece 1902, like that previously shown in FIG. 8E, with the shape of a

small sphere, and below are also assembled, stacked one above the other, several other

movable edible pieces 1902', in this case four, shaped like biconvex lenses, or stylized

rattlesnake tail disks, as those shown in FIG. 8F, while under the lower one is attached a

sliding retaining element 716 like that referred to for the first time in FIG. 7D,

provided with a locking element 719 which engages to a matching notch 715 on the

holding stick 701, to keep all the movable edible pieces above it retained in the desired

axial position.

[0165] In FIG. 19B is shown a second view of the same possible embodiment

previously shown in FIG. 19A, wherein the four movable edible pieces 1902' have

been displaced upward, as indicated by the arrow M13, after having been consumed the

upper movable edible piece 1902. To accomplish said displacement, the user manually

pushes upward the sliding retaining element 716 until its locking element 719 engages to

another notch 715 nearer to the top end 303 of the holding stick 701.

[0166] In this particular possible embodiment, as in some others, the rounded lower end

207, like that referred to for the first time in FIG. 2A, is the entry end for the assembly

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit: 3725

to the holding stick 701 of all the movable edible pieces, 1902 and 1902, as well as for

the sliding retaining element 716.

[0167] As was explained in FIG. 7D to 7F, the sliding retaining element 716 may be

removed by the user to replace the consumed movable edible pieces, or to assemble

different combinations of the dancing toy lollipop.

[0168] In FIG. 20 is shown an elevation view of other possible embodiment of the

dancing toy lollipop object of the present invention similar to that previously shown in

FIGS. 19A and 19B, at rest or central position designated by the arrow IX, from where

the holding stick 701 may be elastically flexed to any side to make it oscillate or vibrate

as indicated by the arrow M14, between extreme lateral positions illustrated by dashed

line contours, and designated by the arrows X and XI. In this alternate embodiment, the

holding stick 701 is of the rack type like that referred to for the first time in FIG. 7A,

being said holding stick made of a suitable resilient material. At the top position is

assembled a movable edible piece 1902, like that shown in FIG.19A with the shape of a

small sphere, and under it are assembled several other movable edible pieces 1902', in

this case seven, stacked one above the other, shaped like biconvex lenses or stylized

rattlesnake tail disks, like those referred to for the first time in FIG. 19A. All the eight

movable edible pieces are prevented from going up and out of the holding stick 701 by

the top end stop 303, previously shown in FIG.10A and others, and are prevented from

slipping down by the sliding retaining element 716 like that referred to for the first time

in FIG. 7D. This embodiment allows the user to make the holding stick elastically

oscillate laterally, as indicated by the arrow M14, like a sort of edible rattle toy, when it

is conveniently moved by the user's hand.

[0169] In this embodiment, as in all provided with multiple movable edible pieces, the

user may displace progressively upward the remaining lower movable edible pieces, as

the uppermost one has been consumed, keeping all the movable edible pieces retained in

the desired axial position on the holding stick 701, in this case by means of the sliding

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit: 3725

retaining element 716 provided with an appropriate locking element, not visible but

previously shown in FIGS. 7D to 7F, which engages to the rack notches of the holding

stick 701, previously shown in FIG. 7A and others.

[0170] In addition, as in other embodiments previously described, the sliding retaining

element 716 also accomplishes the function of fingers guard preventing the direct

contact of the user's fingers with the movable edible pieces 2502'.

[0171] In FIG. 21 is shown an elevation view of another possible embodiment of the

dancing toy lollipop object of the present invention similar to that previously shown in

FIG. 20, but wherein the lower end of the holding stick 701 is securely inserted into a

grip portion attachment 2101a made of flexible malleable material, resembling a little

stylized rattlesnake body. In this alternate embodiment the rattling tail is resembled by

the movable edible pieces 1902 and 1902' retained in position by the sliding retaining

element 716, and assembled to the elastic holding stick 701, which can be made

oscillate manually by the user, as indicated by the arrow M14, while the flexible body

of the grip portion 2101a has its lower free end 2133 resembling a stylized snake head,

and may be wound in turns 2134 so that it may be placed in a standing position on a

table or on any appropriate surface and may also be embraced to any suitable support.

[0172] FIGS 22A and 22B illustrate an alternate embodiment of the dancing toy

lollipop object of the present invention, in which a main or primary holding stick has

several movable attachments, each provided with several secondary short holding sticks

securely inserted while a small movable edible piece is assembled to each short holding

stick.

[0173] In FIG. 22A is shown an axial section view of an alternate embodiment,

comprising a main or primary holding stick 2201 to which are assembled three movable

attachments 2235, each of them with several short holding sticks 2201a, six in this case,

securely inserted, while to each of said short holding sticks, in turn, is assembled one

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez **CLEAN VERSION**

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit: 3725

movable edible piece 2202, with a shape similar to the movable edible piece 1902,

referred to for the first time in FIG. 19, but substantially smaller. The movable

attachments 2235 are provided with cavities similar to the cavities in the movable edible

pieces previously described in other figures and thereof, said movable attachments may

swing or swivel independently in relation to the main holding stick 2201, as indicated

by the arrow M15, moving at the same time the short holding sticks 2801a inserted into

them, while each movable edible piece 2202, in turn, may move in diverse ways in

relation to its corresponding short holding stick 2201a, oscillating as indicated by the

arrow M3; turning as indicated by the arrow M16 and/or sliding out and in as indicated

by the arrow M17, being all said kind of motions manually caused when the dancing

toy lollipop is conveniently moved by the user.

[0174] In FIG. 22B is shown a top view of the same embodiment shown in FIG. 22A,

wherein the arrow M18 indicates that each group of movable edible pieces assembled to

the short holding sticks of each movable attachment 2235, may rotate randomly in any

direction, when the dancing toy lollipop is conveniently moved by the user. The movable

attachments, as well as the short sticks, may be either inedible or edible, and in this, as in

all possible embodiments of the dancing toy lollipop object of the present invention, the

movable edible pieces may have different sizes, shapes, colors and flavors.

[0175] - [0179] (DELETED)

[0180] FIGS 23A and 23B illustrate a possible protecting transparent case for the

embodiment of the dancing toy lollipop resembling a little dancing doll shown in FIG.

14A.

[0181] In FIG. 23A is shown a frontal elevation view of the assembly 1400 of the

alternate embodiment of the dancing toy lollipop previously shown in FIG. 14A,

resembling a little dancing doll, standing on an optional base 1427 also previously

shown in said figure, which is placed on a flat surface 1328, while the lollipop is under a

SUBSTITUTE SPECIFICATION Applicant: Rodolfo Fernandez

CLEAN VERSION

Reply to Office Action of: 01/31/2006

Examiner: Bena Miller

Art Unit: 3725

transparent cover 2336 conveniently fitted to the outer rim 1431 of said base 1427 to

protect the dancing toy lollipop from undesirable contact with insects, dust, etc., when it

is not being used.

[0182] In FIG. 23B is shown an elevation view of the transparent cover 2336 whose

body consists in a cylindrical wall 2337 with a semispherical closed top 2338. This

cover can be made of a transparent thin plastic, employing the same manufacturing

process used for the manufacturing of soda containers. Its thickened lower edge 2339 is

configured and dimensioned to fit at the outer edge of the rim 1431 of the base 1327.

[0183] The above description with reference to the figures is considered illustrative and

not restrictive. The true scope and spirit of the invention resides in the appended claims

and their legal equivalents, rather than in the given examples. Modifications and

variations on the embodiments described, or known to those skilled in the art, may be

made within the scope of the innovative lollipop object of the present invention.